

NO. 22958

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

STERLING ING, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE FIRST CIRCUIT
(TR 30-32 OF 11/8/99 (POLICE REPORT NOS. 4803623,
4803624, and 4825113MO))

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

Defendant-appellant Sterling Ing appeals from the District Court of the First Circuit, 'Ewa Division's judgment and sentence after conviction of one count of driving without a license in violation of Hawai'i Revised Statutes (HRS) § 286-102 (1993). Ing contends that the district court erred in failing to dismiss the charge "where the licensing requirements of HRS § 286-102 violated his constitutional right to freedom of movement" under article I, section 2 of the Hawai'i Constitution.

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, we hold that the requirements of HRS § 286-102 are rationally related to the state's purpose in safeguarding the health and

safety of its citizens, see State v. French, 77 Hawai'i 222, 883 P.2d 644 (App. 1994). Therefore,

IT IS HEREBY ORDERED that the judgment from which the appeal is taken is affirmed.

DATED: Honolulu, Hawai'i, September 22, 2000.

On the briefs:

Jon N. Ikenaga,
Deputy Public Defender,
for defendant-appellant

Mangmang Qiu Brown,
Deputy Prosecuting
Attorney, for
plaintiff-appellee